PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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Report No. SCL-00163S **Monday May 4, 2015**

Streamlined Submarine Cable Landing License Applications

Accepted For Filing

Unless otherwise specified, the following procedures apply to the applications listed below:

The applications listed below have been found, upon initial review, to be acceptable for filing and subject to the streamlined processing procedures set forth in section 1.767 of the Commission's rules, 47 C.F.R. § 1.767. Pursuant to the Submarine Cable Landing License Act, 47 U.S.C. §§ 34-39, and Executive Order No. 10530, reprinted as amended in 3 U.S.C. § 301, each applicant seeks: (a) the grant of a cable landing licensee; (b) the modification of a cable landing license; and/or (c) the assignment or transfer of control of an interest in a submarine cable landing license.

Pursuant to its decision in Review of Commission Consideration of Applications under the Cable Landing License Act, IB Docket No. 00-106, FCC 01-332, 16 FCC Rcd 22167 (2001) and section 1.767 of the rules, the Commission will take action upon these applications within forty-five (45) days after release of this public notice, unless the Commission has informed the applicant in writing that the application, upon further examination, has been deemed ineligible for streamlined processing.

Ex parte communications between outside parties and Commission staff concerning these applications are permitted subject to the Commission's rules for "permit-but-disclose proceedings." See 47 C.F.R. § 1.1206. Filings relating to this application must be received within 14 days of this notice. Such filings will not necessarily result in an application being deemed ineligible for streamlined processing.

Copies of all applications listed here are available for public inspection in the FCC Reference and Information Center, located in room CY-A257 at the Portals 2 building, 445 12th Street, SW, Washington DC 20554. The center can be contacted at (202) 418-0270. People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 1-888-835-5322 (tty). All applications listed are subject to further consideration and review, and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations, and other requirements.

Application filed by Algar Telecom S/A (Algar Telecom), Angola Cables S.A. (Angola Cables), Administracion Nacional de Telecomunicaciones (ANTEL), and GU Holdings Inc. (GU Holdings) (collectively, the "Parties" or the "Applicants") for a license to operate a non-common carrier fiber-optic submarine telecommunications cable extending between the continental United States and Brazil, the Monet Cable System (Monet).

The Monet Cable System will be a high capacity digital fiber-optic system landing in three locations and with three segments: Segment 1 from Boca Raton, Florida to a branching unit (BU); Segment 2, from Fortaleza, Brazil, to the BU; and, Segment 3 from Santos/Praia Grande, Brazil, to the BU. The principal portion of Monet (the "Main System"), comprised of Segment 1 and Segment 3, will have six fiber pairs with a total capacity of 64 Terabits per second, and Segment 2 (the "Branch Leg"), will have ten (10) fiber pairs with a total capacity of 32 Terabits per second. The Monet will extend approximately 10, 556 kilometers.

The cable landing stations for Monet will be located in Boca Raton, Florida; Santos/Praia Grande, Brazil; and Fortaleza, Brazil. The landing stations will be newly constructed at new sites in each of these countries. Applicants will the precise locations of the cable landing stations once they are finalized.

The Applicants state that Monet will substantially increase capacity and make advanced facilities-based telecommunications services available between the U.S. and foreign points. Specifically, Monet will help connect U.S. internet users and businesses to South America, increase competition on the U.S.-South America route which may result in lower bandwidth prices, and enhance the service quality, redundancy, and resilience of communications systems in the region by reducing congestion on other networks and enable carriers to and service providers to expand their dynamic routing.

The Applicants propose to operate Monet on a non-common carrier basis. They state that the U.S.-Brazil route is currently served by many other submarine cables (Americas-II, GlobeNet, South America-1, South America Crossing, and America Movil Submarine Cable System-1), and that the Pacific Caribbean Cable System (PCCS) should be ready for service this year. They state that these facilities provide a variety of alternative facilities and that there is no reason for the Commission to require the Applicants to serve the public indiscriminately. The Applicants further state that capacity on Monet will either be used by the Applicants to meet their own internal needs for bandwidth or made available to third parties based on individually tailored agreements.

Monet will be owned, operated and maintained by Applicants pursuant to a Joint Build Agreement (JBA). An Executive Committee, composed of one representative named by each of the Parties, will manage Monet's common infrastructure, which includes the subsea plant and the landing and terminal equipment. Individual Parties will own and manage individual fiber pairs and the associated equipment. The primary Network Operations Center (NOC) for Monet will be in the United States.

Applicants state that they will enter into contractual arrangements with a U.S. third party vendor to operate and manage the U.S. facilities associated with the U.S. landing station and the U.S. NOC. The relationship between the landing party and the Parties at each landing point is governed by a United States Landing Party Agreement, a Santos Landing Party Agreement and a Fortaleza Landing Party Agreement. At each landing station, individual Parties may connect their capacity to the country's domestic network or other international cable systems.

Applicants will own all common infrastructure of Monet in proportionate and indivisible shares. The landing stations and segments will be owned as follows:

(1) GU Holdings will own the cable landing stations in Boca Raton, Florida and Santos, Brazil. The Santos Landing Party Agreement provides that GU Holdings may assign to a Brazilian affiliate its responsibilities as landing party in Santos/Praia Grande prior to operation of the Santo landing station and will notify the Commission when this assignment takes place. GU Holdings hold two fiber pairs and have will have a 33.33% participation and voting interest in Monet's Main System (Segments 1 and 3). Google Cable Bermuda Ltd., the indirect parent of GU Holdings, will hold two fiber pairs and will have a 20% participation and voting interest in Monet's Branch Leg (Segment 2). Two indirect, wholly-owned subsidiaries of Google organized under the law of Bermuda - Google Cable Bermuda Ltd. (GCB) and Google Infrastructure Bermuda Ltd. (GIB) - are parties to the GBA and will own all of Google's capacity in Monet outside of the U.S.

(2) Angola Cables will own the landing station in Fortaleza, Brazil. It will hold two fiber pairs in Monet's Main System (Segments 1 and 3) and have will have a 33.33% participation and voting interest. It will hold four fiber pairs and have a 40% participation and voting interest in Monet's Branch Leg.

(3) ANTEL will hold two fiber pairs and have a 16.67% participation interest and a 16.67% voting right Monet's Main System. It will hold two fiber pairs and have a 20% participation and voting interest in Monet's Branch Leg. It will not own and/or operate any of Monet's landing stations.

(4) Algar Telecom will hold two fiber pairs and have a 16.67% participation and voting interest in one fiber pair in Monet's Main System. It will hold two fiber pairs and have a 20% participation and voting interest in Monet's Branch Leg. It will not own and/or operate any of Monet's landing stations.

GU Holdings is wholly owned by Google International LLC, which in turn is wholly owned by Google Inc. The following U.S. citizens hold a 10 percent or greater voting or equity interest in Google Inc.: Larry Page (42.6% of Class B common stock, 27.6% voting); and Sergey Brin (41.6% of Class B common stock, 27% voting). No other individual or entity has a 10 percent or greater direct or indirect equity or voting interest in Google Inc.

Algar Telecom is a telecommunications company organized under the laws of Brazil, which is a Member Country of the World Trade Organization (WTO). Algar S/A Empreendimentos E Participocoes (Algar S/A), a Brazilian corporation, owns 89.94% of the shares of Algar Telecom. Algar S/A is wholly owned by Arvore S/A Empreendimentos E Participacoes (Avore S/A), and Brazilian corporation. Lagar S/A Participacoes (Lagar S/A) owns 59% of the shares of Avore S/A., and Luar Participacoes LTDA (Luar) and Amar Participacoes LTDA (Amar) each own 50% of Lagar S/A, all Brazilian entities. Luiz Alexandre Garcia, a Brazilian citizen, owns 99.98% of Luar. Ana Marta Pereira Gracia, a Brazilian citizen, owns 99.98% of Amar. Elgar S/A Participacoes (Elgar S/A), a Brazilian corporation, owns 21% of the shares of Avore S/A a Brazilian citizen, owns 99.98% of Aliar. Algar S/A Participacoes (Algar S/A), a Brazilian corporation, owns 21% of the shares of Avore S/A. Walgar S/A Participacoes (Walgar S/A) owns 20% of the shares of Avore S/A, and Kiron Participacoes LTDA (Kiron) and Catita Participacoes LTDA (Catita) each own 50% of Walgar S/A, all Brazilian entities. Alexandrino Gracia Neto, a Brazilian citizen, owns 99.97% of Kiron. Carmen Silvia Garcia, a Brazilian citizen, owns 99.98% of Catita. No other individual or entity has a 10 percent or greater direct or indirect equity or voting interest in Algar Telecom.

Angola Cables is a developer of submarine cable system and is limited company organized under Angolan law. The following entities have a 10 percent or greater direct or indirect ownership interest in Angolan Cables: (1) Unitel, S.A., an Angolan entity (31% direct ownership interest); (2) Mercury Servicos de Telecomunicacaoes, S.A.R.L. (MStelecom), an Angolan entity (9% direct ownership interest and a 7.75% indirect ownership interest through its 25% interest in Unitel S.A., an Angola Cables shareholder, for a total interest of 16.75%); (3) Angola Telecom E.P. (Angola Telecom), an Angolan company (a 51% direct ownership interest and a 1.2% indirect ownership interest through its 20% interest in another Angola Cables shareholder, Movicel Telecomunicacaoes S.A., which indirectly owns 6 percent of Angola Cables, for a total interest of 52.2%). Angola Telecom is a public company that is wholly-owned by the Government of the Republic of Angola and MStelecom is wholly-owned by the Government of the Republic of Angola, on an indirect basis, through Sociedade Nacional de Combustiveis de Angola, E.P., a public company wholly-owned by Government of the Republic of Angola. No other individual or entity has a 10 percent or greater direct or indirect equity or voting interest in Angola Cables.

ANTEL is the incumbent local exchange and international services carrier in Uruguay. It is wholly-owned by the government of Uruguay.

All Applicants each agree to abide by the routine conditions specified in section 1.767(g) of the Commission's rules, 47 C.F.R. § 1.767(g).

REMINDERS:

Applicants must certify that neither the applicant nor any party to the application is subject to a denial of federal benefits by federal and/or state courts under authority granted in 21 U.S.C. § 862. See C.F.R. §§ 1.2001-1.2003.

By this notice, we inform the public that submarine cable landing license applications and international section 214 applications that are part of larger transactions involving multiple Commission licenses or authorizations may involve "extraordinary circumstances" as referenced in Review of Commission Consideration of Applications under the Cable Landing License Act, Report and Order, 16 FCC Rcd 22167 (2001) and Rules and Policies on Foreign Participation in the U.S. Telecommunications Market, Report and Order and Order on Reconsideration, 12 FCC Rcd 23891 (1997), paras. 327-28, Order on Reconsideration, 15 FCC Rcd 18158 (2000). Additionally, these extraordinary circumstances may result where Executive Branch agencies petition the Commission to defer decision on certain transactions pending the resolution of potential national security, law enforcement, foreign policy and trade policy issues. Accordingly, these applications may not be acted on within the 90-day review period that the Commission has established as the period of time normally required to reach a decision on non-streamlined cable landing licenses and international section 214 applications. This notice shall serve as public notice to applicants that, in these circumstances, additional time may be required for Commission review and final action. No additional formal public notice will be provided routinely with respect to specific applications in the event that the applicable review period extends beyond 90 days.